

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

SHERRY C. TARANTO, *et al.*

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:08cv1356-LG-RHW

**STATE FARM FIRE AND
CASUALTY COMPANY**

DEFENDANT

ORDER GRANTING [63] MOTION TO STRIKE DISCOVERY REQUESTS

Before the Court is [63] Defendant's April 14, 2010 motion to strike Plaintiffs' discovery requests served on March 31, 2010, two days before discovery ended on April 2, 2010. Plaintiffs filed no response to the motion, and the time for doing so has expired. Rule 26(b), *L.U.Civ.R.*, provides:

- (1) The discovery deadline is that date by which all responses to discovery ... required by the Federal Rules of Civil Procedure must be made...
- (2) Counsel must initiate discovery requests ... sufficiently in advance of the discovery deadline date to comply with this rule, and discovery requests that seek responses ... that would otherwise be answerable after the discovery deadline date are not enforceable except by order of the court for good cause shown.

Plaintiffs' discovery, filed two days before the discovery deadline, clearly does not meet the requirements of the Rule. It is therefore,

ORDERED, that the motion to strike Plaintiffs' Third Set of Interrogatories and Requests for Production of Documents is granted, and Defendant is under no obligation to respond to this discovery.

SO ORDERED, this the 4th day of May, 2010.

/s/ Robert H. Walker

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE